

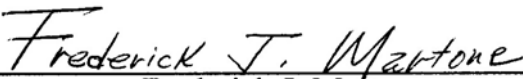
1 basis. We also agree that her failure to file a timely administrative charge of discrimination
2 bars this action.

3 Plaintiff alleges that she was terminated from employment on September 2, 2009. She
4 filed a charge of discrimination with the Civil Rights Division of the Arizona Attorney
5 General's Office and the EEOC on October 28, 2010, 421 days after her discharge, asserting
6 a claim under the ADA. Motion, ex. A. The timely filing of a charge with the EEOC or state
7 agency is a prerequisite to asserting a claim under the ADA. 42 U.S.C. § 12117(a). Plaintiff
8 was required to file her charge of discrimination within 300 days of the challenged
9 employment practice—in this case, her termination. See 42 U.S.C. § 2000e-5(e)(1). Because
10 plaintiff did not file her claim within 300 days of her discharge, her claim is time-barred.
11 National R.R. Passenger Corp. v. Morgan, 536 U.S. 101, 109, 122 S. Ct. 2061, 2070 (2002).

12 Accordingly, **IT IS ORDERED GRANTING** defendant's motion to dismiss (doc.
13 8). The clerk shall enter final judgment.

14 We urge plaintiff to seek the advice of counsel. If she does not have a lawyer, she
15 may wish to call the Lawyer Referral Service of the Maricopa Bar Association at 602-257-
16 4434.

17 DATED this 10th day of June, 2011.

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20 Frederick J. Martone
21 United States District Judge
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